AMENDMENTS TO THE DRAWINGS

Attached hereto is a Replacement Sheet for Figure 10.

REMARKS

The Examiner has acknowledged receipt of the Priority Document and the Information Disclosure Statements submitted in this application and have been made of record.

Objection to Claims 6 and 11

Claims 6 and 11 were objected to because of informalities as set forth in page 2 of the Examiner's Office Action letter. These objections are respectfully traversed.

As will be noted, the claims have been amended to comply with Examiner's requests. Accordingly, it is believed that the Examiner's objection to the subject matter of claims 6 and 11 has been eliminated.

For the reasons set forth above, the Examiner is requested to reconsider and withdraw the objection of the currently amended claim 6 and currently amended claim 11.

Rejection of Claims 1-5, 11-14 under Kawahara

Claims 1-5, 11-14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication No. 2001/0019364 A1 (Kawahara). This rejection is respectfully traversed.

The primary reference used by the Examiner to reject the claims is Patent Application Publication No. 2001/0019364 A1 (Kawahara). Kawahara claims an "apparatus which can properly expose a main object regardless of the background conditions." (see abstract). Upon operation of an imaging start switch (see [0157]), the invention begins a non-iterative sequence wherein two images are captured (see fig 13A & 13B). The first image is captured without any emission from a flash unit (see [0159]), and the second image is captured while the flash unit is emitting light (see [0163]-[0164]). A control unit then finds the difference between the two captured images and uses that difference to determine whether the light emission should be increased, decreased or remain constant (see [0152] and [0167]-[0176]).

Claim 1 has been amended to include claim 2 and most of claim 4. The claim language has also been amended to avoid the Examiner's interpretation by more accurately reflecting the current invention of currently amended claim 1 in that when the invention is in an image pick-up mode the control unit will repeatedly activate the comparing unit and the light emission quantity determining unit for a single image pick-up operation.

The Examiner alleges that Kawahara would allow the user to achieve similar target levels to that of the current invention of currently amended claim 1 for a single image pick-up operation. Applicants respectfully submit that Examiner has broadly interpreted Kawahara beyond its original intent. Kawahara is distinguishable from the invention of currently amended claim 1 in that Kawahara does not repeatedly activate the comparing unit and light emission quantity determining unit for a single image pick-up operation.

In the invention of currently amended claim 1, the control unit will repeatedly activate the comparing unit and light emission quantity determining unit until the target exposure level is achieved. In Kawahara, the user must repeatedly operate the imaging start switch to activate the comparing unit and light emission quantity determining unit. Furthermore, the comparing unit and light emission quantity determining unit in the current invention of claim 1 are repeatedly activated for a single image pick-up operation. In Kawahara, the same units are repeatedly activated over multiple image pick-up operations, and cannot be repeatedly activated for a single image pick-up operation. Thus Kawahara is unable to repeatedly adjust the exposure level for a single image pick-up operation, unlike the current invention of currently amended claim 1.

As each and every limitation is not shown either specifically or inherently, it is believed that a rejection under 35 U.S.C. § 102 is not viable.

With respect to dependent claims 3-5, these claims are considered patentable at least for the same reasons as claim 1 (amended).

Amendments similar to those made to claim 1 were made to claim 11. Claims 12 and 15 were combined with claim 11. The same language added to claim 1 was also added to claim 11, to more accurately reflect the difference between the current invention of claim 11 and the prior art. Therefore, currently amended claim 11 is believed to be patentable for at least the same reasons as currently amended claim 1.

For the reasons set forth above, the Examiner is requested to reconsider and withdraw the rejection of the currently amended claim 1 and currently amended claim 11 under 35 U.S.C. § 102.

With respect to dependent claims 13 and 14, these claims are considered patentable at least for the same reasons as claim 11 (amended).

For the reasons set forth above, the Examiner is requested to reconsider and withdraw the rejection of the under 35 U.S.C. § 102.

Rejection of Claims 6, 8, 10, 16 and 18 under Kawahara and Numata

Claims 6, 8, 10, 16 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawahara in view of U.S. Patent No. 6,654,062 B1 (Numata et al). This rejection is respectfully traversed.

Claims 6, 8, 10, 16 and 18 are dependent claims. As explained above, the Kawahara reference does not show or suggest the features of the base claim. The addition of Numata et al. does not cure the innate deficiencies of the rejection based on the first reference.

For the reasons set forth above, the Examiner is requested to reconsider and withdraw the rejection of the claims under 35 U.S.C. § 103.

Rejection of Claims 7 and 15 under Kawahara and Medwick

Claims 7 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawahara in view of U.S. Patent No. 7,092,029 B1 (Medwick et al.). This rejection is respectfully traversed.

The subject matter of claim 1 as well as claim 2 has been incorporated into claim 7 to make it independent.

Claim 7 recites the use of a look-up table where the value used in conjunction with the look-up table is a difference between two exposure levels detected with a strobe light on and with a strobe light off. The difference between these two values is used by the look-up table to determine the correct amount of light emission to achieve a target exposure level. The look-up table in Medwick is used in conjunction with an average luminance value. (col. 9 lines 5-11). It does not use a variable difference between two different exposure levels. While Kawahara does recite the use of a difference between two exposure levels to improve exposure levels, the combination of Kawahara and Medwick does not recite the use of the difference between two varying exposure levels to look up the appropriate amount of light to be emitted from a look-up table to improve exposure levels.

Similar amendments were made to claim 15. Subject matter from claims 11 and 12 were incorporated therein to make it independent. The arguments for the patentability of currently amended claim 7 equally apply to claim 15. Therefore, claim 15 is believed to be patentable for at least the same reasons as currently amended claim 7.

For the reasons set forth above, the Examiner is requested to reconsider and withdraw the rejection of the claims under 35 U.S.C. § 103.

Rejection of Claims 19 and 20 under Kawahara and Hiroshi

Claims 19 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawahara in view of JP07-072536 (Hiroshi). This rejection is respectfully traversed.

Previously the Examiner rejected claim 19 based on the patent abstract of Hiroshi. To further clarify the differences between Hiroshi and the current invention, the complete Hiroshi patent has been translated. The English translation of Hiroshi has been attached for review.

The invention of currently amended claim 19 claims that when an image pick-up unit is put into an image pick-up mode it will begin emitting light in accordance with exposure levels detected by the exposure detecting unit, and regardless of the operation of a shutter key. Kawahara recites that an image pick-up unit will begin emitting light in response to the operation of an imaging start switch (see [0157]). It does not mention the initialization of the emission of light in accordance with detected exposure levels. Nor is this aspect of the invention of claim 19 recited in Hiroshi.

Furthermore, while Hiroshi requires that a preliminary light emission button be operated before emitting light, (see Hiroshi page 5 lines 6-9), the invention of currently amended claim 19 requires only that the image pick-up unit be in an image pick-mode in order to emit light. The start of emission of light in Hiroshi occurs independently of the camera being in an image pick-up mode (see Hiroshi page 5 lines 5, 9-10). The invention of claim 19 requires that the image pick-up unit be in an image pick-up mode in order to begin emission of light in accordance with a detected exposure level regardless of whether the shutter key has been operated or not.

With respect to dependent claim 20, this claim is considered patentable at least for the same reasons as claim 19 (amended).

For the reasons set forth above, the Examiner is requested to reconsider and withdraw the rejection of the claims under 35 U.S.C. § 103.

Rejection of Claims 21 and 22 under Kawahara, Hiroshi and Yamazaki

Claims 21 and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawahara in view of Hiroshi and in further view of U.S. Patent No. 6,351,606 (Yamazaki). This rejection is respectfully traversed.

Claims 21 and 22 are dependent claims and as explained above the Kawahara reference and the Hiroshi reference do not show or suggest the features of the base claim. The addition of Yamazaki does not cure the innate deficiencies of the rejection based on the first two references.

For the reasons set forth above, the Examiner is requested to reconsider and withdraw the rejection of the claims under 35 U.S.C. § 103.

Rejection of Claims 9 and 17 under Kawahara, Numata and Yamazaki

Claims 9 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawahara, Numata et al. and in further view of Yamazaki. This rejection is respectfully traversed.

Claims 9 and 17 are dependent claims and as explained above the Kawahara reference does not show or suggest the features of the base claim. The addition of Numata et al. and Yamazaki does not cure the innate deficiencies of the rejection based on the first reference.

For the reasons set forth above, the Examiner is requested to reconsider and withdraw the rejection of the claims under 35 U.S.C. § 103.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

CONCLUSION

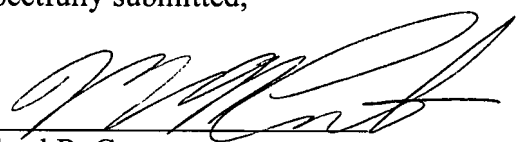
In view of the above remarks, it is believed that claims are allowable.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Michael R. Cammarata, Reg. No. 39,491 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: June 11, 2007

Respectfully submitted,

By 

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